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JUL 282006

OFFICE OF PETITIONS

In re Application of

Dowdal : DECISION ON PETITION

Application No. 09/605,422 : For: June 27, 2000 : Atty. Dkt. No.: 1.046US :

This is a decision on the renewed petition under 37 CFR 1.137(b) filed July 24, 2006.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application became abandoned January 3, 2004 for failure to timely reply to the non-final Office action mailed October 2, 2004. The non-final Office action set a three month shortened statutory period of time for reply. No petition for extension of time was timely submitted. Notice of Abandonment was mailed December 13, 2004. A petition under 37 CFR 1.137(b) was filed June 12, 2006 and dismissed July 6, 2006.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the non-final Office action is accepted as having been unintentionally delayed.

This application is being directed to Technology Center 2600 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown

Petitions Attorney Office of Petitions